

U.S. Department of Justice
United States Attorney
Western District of New York

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PRESS RELEASE

January 19, 2006

**EAST ROCHESTER GYMNASTIC COACH
IS ARRESTED FOR USING THE INTERNET TO ENTICE
AND PERSUADE MINOR TO ENGAGE IN SEXUAL CONDUCT**

RE: UNITED STATES v. MARIAN ASENOV PENEV

Kathleen M. Mehlretter, Acting United States Attorney for the Western District of New York, announced that Marian Asenov Penev, age 39, of Fairport, New York, was charged today in a criminal complaint signed by the Honorable Jonathan W. Feldman with using an internet facility to entice and coerce a minor to engage in sexual conduct with him, in violation of Title 18, United States Code, Section 2422(b), which charges a mandatory minimum term of imprisonment of 5 years, and a maximum term of imprisonment of 20 years and/or a \$250,000 fine.

Assistant U.S. Attorney Richard A. Resnick, who is handling the case, stated that the complaint alleges that from September, 2005 through December, 2005, Penev used

computer e-mails and instant messages to entice and coerce a female minor who was born in 1992 to engage in sexual acts with him. Penev has a Gymnastic's School at 131 Despatch Drive, East Rochester, New York. The minor had been Penev's student for approximately eight years.

The complaint further alleges that on December 16, 2005, because of suspicions about their daughter's activities, the minor's parents secretly installed spyware software on their home computer. From December 16, 2005 to December 26, 2005, approximately twenty instant message conversations between the minor and Penev were intercepted. Many of these conversations are outlined in the criminal complaint, and they were extremely sexual in nature and used coded verbiage. The messages included conversations about masturbation, penetration of the minor's vagina by either using a finger or a penis, oral sex, and orgasms. In around the beginning of December 2005, Penev started having oral sex and sexual intercourse with the minor at his gym. These encounters were discussed in detail by Penev in the instant message conversations he had with the minor, which were captured by the minor's parents.

It should be noted that the fact that a defendant has been charged with a crime . . . is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

The charges were the culmination of an investigation by the Federal Bureau of Investigation, under the direction of Special Agent in Charge Peter Ahearn; the United

States Postal Inspection Service. Further, this investigation was a collaborative effort between the East Rochester Police Department, the Monroe County Sheriff's Department, and the Rochester Federal Bureau of Investigation as part of the FBI's Innocent Images National Initiative. This initiative seeks to partner local, state, and federal law enforcement agencies to combat possession and trading of child pornography and to identify, locate and stop those individuals who use a computer to encourage or entice minors to engage in sexual activity.

An initial appearance is scheduled for 4:00 p.m. today in front of Magistrate Judge Feldman.